

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO. _____ OF 2026
(Arising out of SLP(CrI.) No.21257 of 2025)

MAHIBUB SAHEBLAL SHAIKH

APPELLANT

VERSUS

SAMEER CHANDASAB SHAIKH & ANR.

RESPONDENTS

R1 : SAMEER CHANDASAB SHAIKH

R2 : THE STATE OF MAHARASHTRA

O R D E R

Heard learned counsel for the appellant, learned counsel for the respondent no.1-accused and the learned counsel for the respondent no.2-State of Maharashtra.

2. Leave granted.

3. The present appeal is directed against the impugned order dated 18.09.2025 passed by the High Court of Judicature at Bombay, Circuit Bench at Kolhapur by which, the High Court has granted bail to the respondent no.1.

4. The allegation against the respondent no.1 is that he was in a relationship with the deceased, who is the daughter of the appellant-complainant and when she had been engaged to another

person, due to some intimate photographs of the deceased and the respondent no.1 circulated on social media and also forwarded to the prospective groom of the deceased, the marriage was called off, which led to the deceased taking her life. The said fact has also been recorded by the deceased in a letter addressed to the police.

5. Learned counsel for the appellant-complainant submits that irrespective of whether his daughter was in a relationship with the respondent no.1, the manner in which the respondent no.1 has acted i.e., firstly, taking intimate photographs of him with the deceased and then passing it on to someone else for being circulated on social media and most importantly, to the prospective groom of the deceased, which led to them calling off the marriage, the deceased having lost her social prestige and also being conscious of the damage, which was caused to her family in general, forced her to take the extreme step of committing suicide. It was submitted that the connection of suicide with the so-called social media clip was enough to show that there was direct nexus between the said uploading of obscene video with the deceased taking her life. It was submitted that all this is documented by the letter written by the deceased to the police.

6. Learned counsel for the respondent no.2-State, who has filed an affidavit, submits that even during incarceration, the accused, including the respondent no.1 was not cooperating in the trial and that is the reason, why delay has been caused but now, charges have been framed and two witnesses are scheduled to be examined tomorrow i.e., 18.03.2026.

7. Learned counsel for the respondent no.1 submits that the

respondent no.1 has nothing to do in the entire episode as the clip was made viral not by him but rather by his brother. Moreover, it was submitted that when the High Court had granted bail to the respondent no.1, he was in custody for almost two years and it does not appear that trial will conclude anytime soon. Further, it was submitted that the so-called letter written by the deceased to the police is doubtful.

8. At this juncture, on a direct query of the Court to the learned counsel for the respondent no.1, as to how, the clip which could have been taken only in the presence of deceased and the respondent no.1 came into the hands of any third party including the brother of the respondent no.1, there is no answer forthcoming.

9. Having regard to the entirety of the situation, going through the material on record and the circumstances as also, the fact that the authenticity of the clip has not been disputed and rather only an explanation is coming forth, we are of the firm opinion that this was not a fit case for the High Court to exercise its jurisdiction and release the respondent no.1 on bail.

10. Accordingly, the appeal is allowed. The impugned order dated 18.09.2025 passed by the High Court of Judicature at Bombay, Circuit Bench at Kolhapur in Criminal Bail Application No.296 of 2025 stands set aside. The respondent no.1 is directed to surrender before the Trial Court within one week from today. The trial shall continue and shall be expedited and taken to its logical conclusion at the earliest. Any non-cooperation or delay by any of the accused in the conduct of the trial, shall be dealt with firmly by the Trial Court, in accordance with law.

11. Pending application(s), if any, shall stand disposed of.

.....J.
[AHSANUDDIN AMANULLAH]

.....J.
[R. MAHADEVAN]

NEW DELHI
MARCH 17, 2026

ITEM NO.2

COURT NO.13

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 21257/2025

[Arising out of impugned final judgment and order dated 18-09-2025 in CRLBA No.296/2025 passed by the HIGH COURT OF JUDICATURE CIRCUIT BENCH AT KOLHAPUR]

MAHIBUB SAHEBLAL SHAIKH

Petitioner(s)

VERSUS

SAMEER CHANDASAB SHAIKH & ANR.

Respondent(s)

(IA No. 328670/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 328668/2025 - EXEMPTION FROM FILING O.T.)

Date : 17-03-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) Mr. Kaustubh Dube, Adv.
Mr. Mohammad Mulla, Adv.
Mr. Harshad Rathod, Adv.
Mr. Ashish Jacob Mathew, Adv.
Mr. Achin Sondhi, Adv.
Ms. Ashruta Singh, Adv.
Mr. Sanjay Kumar Visen, AOR
Mr. Gaurav Shukla, Adv.
Mr. K. Subba Rao, Adv.
Mr. M. Venkatesulu, Adv.
Mr. F.M. Patweghar, Adv.

For Respondent(s) Mr. Samrat Krishnarao Shinde, AOR
Mr. Pratyush Kalro, Adv.

Mr. Shrirang B. Varma, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR

O R D E R

Heard learned counsel for the appellant, learned counsel for the respondent no.1-accused and the learned counsel for the respondent no.2-State of Maharashtra.

2. Leave granted.
3. The appeal is allowed in terms of the signed order.
4. Pending application(s), if any, shall stand disposed of.

(SAPNA BISHT)
COURT MASTER (SH)

(Signed order is placed on the file)

(ANJALI PANWAR)
ASSISTANT REGISTRAR